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VIA FACSIMILE

May 3, 2004

Cynthia W. Lie, Esq.
Assistant United States Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210

RE: *United States v. Christopher Sugar*
Case No. 03-cr-10362-PBS

Dear Attorney Lie,

Pursuant to Fed. R. Crim. P.12(d)(2), 16(a), and 26.2, *Brady v. Maryland*, 373 U.S. 83 (1963), and all other applicable rules and statutes, I am writing to request additional discovery regarding Sheriff Blankenship's use of the canine Nitro in the above-captioned case. To date, I have received two pages of discovery.

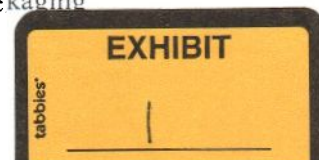
The specific discovery I am requesting is as follows:

(1) Training Records of Police Canine Nitro and Handler:

You have responded with a Certificate of Basic Police Canine Introductory Narcotics Detection Court for Sheriff Don Blankenship and the canine, Nitro, and have stated that the sheriff regularly practices with the canine as well.

I am requesting all training records, not just certificates, specifically the actual, un-redacted notations of the activities and performance of the dog and the handler in their daily training activities, such activities to be described with the records. More specifically, I am requesting:

- (a) Any and all written standards and score sheets of all certification and re-certification evaluations.
- (b) Certification standards of any entity that certified or re-certified the canine Nitro.
- (c) Any and all training evaluations of the handler of Nitro, Sheriff Don Blankenship.
- (d) Identify any and all documents that define the final response Nitro was trained to make upon finding drugs.
- (e) Any and all documentation identifying Nitro's primary reward.
- (f) Any and all documentation regarding the specific training aids used to train Nitro, specifically the chemical composition, purity and packaging



Cynthia W. Lie, Esq.
May 3, 2004
Page Two

- of the controlled substance.
- (g) Any and all departmental or organizational policies, rules, directives, memoranda and operating procedures relating to the training of drug detector dogs for the Phelps County, Missouri, Sheriff's Department, including certification standards for the Missouri K-9 Association or any other local or national certifying organizations.
- (h) Any and all departmental or organization policies, rules, directives, memoranda and operating procedures relating to the field use of drug detector dogs by the Phelps County, Missouri, Sheriff's Department.
- (i) Any and all departmental or organizational policies, rules, rules, directives, memoranda and operating procedures that define or outline the minimum department standard of training proficiency for drug canines.
- (j) Any and all departmental or organizational policies, rules, directives, memoranda and operating procedures for the Phelps County, Missouri, Sheriff's Department that define or outline the response/find ratio that the canine search teams must maintain to remain in field service.
- (k) Any and all records of "Nitro's" false alert rate.

(1) Incident Reports

You have responded by stating that "Sheriff Blankenship has been the sole custodian of the canine since the canine began its narcotics duties and there have been no incident reports that utilized the police dog and handler."

I am requesting all reports of use of the dog and handler in law enforcement, not just incident reports where there were complaints. More specifically, I am requesting

- (a) Any and all reports or documentation describing the number of occasions where deputies stopped vehicles on the highways or other public ways for alleged traffic violations and "Nitro" was used to obtain probable cause for a search of the vehicle.
- (b) Any and all reports or documentation regarding incidents where Sheriff Blankenship and "Nitro" were used to investigate a suspected crime.
- (c) Any and all videotapes depicting traffic stops in which the canine unit known as "Nitro" was used, for the dates January 1, 2003 to the present.

(1) Ancillary Use Reports

You have responded that there are none.

I am requesting any and all additional reports of activities of the dog-handler team, including demonstrations, training of other teams, and any other reports detailing the dog-handler

Cynthia W. Lie, Esq.
May 3, 2004
Page Three

team's activities not specifically related to a crime. More specifically, I am requesting:

- (a) any and all records, reports, proficiency training records, including both documents and video recordings, which relate to the use of the canine known as "Nitro."

(4) Crime Scene Reports

I am requesting any crime scene reports written by Sheriff Blankenship regarding the stop and search of the defendant.

(5) News Reports

Any and all news articles, recordings, or videotapes about the Phelps County, Missouri Sheriff Department's canine unit, including Sheriff Blankenship and "Nitro."

Thank you for your assistance in this matter

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Mark W. Shea', written in a cursive style.

Mark W. Shea